



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Lisa K. Nolan et al.

Group Art Unit: 1645

Serial No.:

09/738,599

Examiner: Unassigned

Filed:

December 15, 2000

Docket No.: 255.0001 0122

Confirmation No.: 1240

Title: NUCLEIC ACID ENCODING AN AVIAN *E. COLI* ISS POLYPEPTIDE AND METHODS OF USE

Assistant Commissioner for Patents

Attn: Box Missing Parts

Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☒ **Small entity status is entitled to be asserted in the above-identified application.**
- ☒ A return postcard.
- ☐ A Petition for Extension of Time for \_\_ month(s) and a check in the amount of \$\_\_ for the required fee.
- ☐ An Information Disclosure Statement (\_\_ pgs); copies of \_\_ applications; 1449 forms (\_\_ pgs); and copies of \_\_ documents cited on the 1449 forms.
- ☒ A check in the amount of \$ 65.00, representing Missing Parts Surcharge.
- ☒ Communication (1 pg.); paper copy of "Sequence Listing" (10 pgs.) and computer readable form of "Sequence Listing" (one diskette). Applicants state that the paper copy form of the "Sequence Listing" section of the present application, and the computer readable form submitted herewith, are the same.
- ☒ Other: Communication Re: Missing Parts (1 pg.); copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.); Declaration (4 pgs.); Election Under 37 C.F.R. §§3.71 and 3.73 and Power of Attorney (2 pgs.); and copy of two Assignments (4 pgs. total).
- Amendment ☐ No Additional fee is required. ☐ The fee has been calculated as shown:

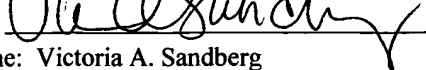
Fee Calculation for Claims Pending After Amendment					
	Pending Claims after Amendment (1)	Claims Paid for Earlier (2)	Number of Additional Claims (1-2)	Cost per Additional Claim	Additional Fees Required
Total Claims				x \$9 =	
Independent Claims				x \$40 =	
One or More New Multiple Dependent Claims Presented? If Yes, Add \$135 Here →					
Total Additional Claim Fees Required					

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

**CERTIFICATE UNDER 37 C.F.R. §1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper(s), as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Assistant Commissioner for Patents, Attn: Missing Parts, Washington, D.C. 20231, on this 11 day of May, 2001.

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813

By:   
Name: Victoria A. Sandberg  
Reg. No.: 41,287  
Direct Dial: 612-305-1226  
Facsimile: 612-305-1228

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.8)



PATENT

Docket No. 255.0001 0122

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Lisa K. Nolan et al.	)	Group Art Unit:	1645
		)		
Serial No.:	09/738,599	)	Examiner:	Unassigned
		)		
Filed:	December 15, 2000	)	Confirmation No.:	1240
		)		
For:	NUCLEIC ACID ENCODING AN AVIAN <i>E. COLI</i> ISS POLYPEPTIDE AND METHODS OF USE			

**COMMUNICATION RE: MISSING PARTS**

Assistant Commissioner for Patents  
Attn: Box Missing Parts  
Washington, D.C. 20231

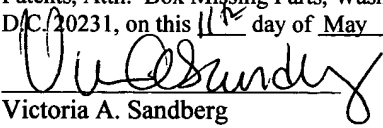
Sir:

In response to the "Notice to File Missing Parts of Application," enclosed is an executed Declaration by the named inventors. Enclosed is our check in the amount of \$65 for the missing parts surcharge. Please charge any additional fees or credit any over-payment to PTO Deposit Account No. 13-4895.

The application should now be in condition for examination. Please direct any inquiries to the undersigned attorney.

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Assistant Commissioner for Patents, Attn: Box Missing Parts, Washington, D.C. 20231, on this 11<sup>th</sup> day of May, 2001.

  
Victoria A. Sandberg

Respectfully submitted,  
Lisa K. Nolan et al.  
By their Representatives,  
Mueting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
Telephone (612)305-1220  
Facsimile (612)305-1228  
**Customer Number 26813**

By: 

Victoria A. Sandberg  
Reg. No. 41,287  
Direct Dial (612)305-1226

11 May 2001  
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/738,599	12/15/2000	Lisa K. Nolan	255.0001 0122

CONFIRMATION NO. 1240

26813

 MUETING, RAASCH & GEBHARDT, P.A.  
 P.O. BOX 581415  
 MINNEAPOLIS, MN 55401

FORMALITIES LETTER



\*OC000000005861614\*

Date Mailed: 03/14/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

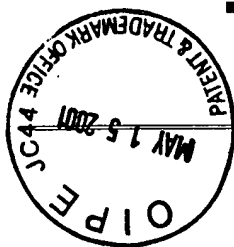
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

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- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)



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*A copy of this notice MUST be returned with the reply.*

A handwritten signature in black ink, appearing to be "H. Ford".

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE